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Legislative Day #

**Introduced by: Charles County Commissioners**

## EMERGENCY LEGISLATION

**Remarks:**

1                   **COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND**

2                                   **2013 Legislative Session**

3  
4 Bill No. 2013-12

5 Chapter No. 275

6 Introduced by Charles County Commissioners

7 Date of Introduction May 22, 2013

8  
9                                   **EMERGENCY BILL**

10 AN ACT concerning

11                               WATERSHED PROTECTION AND RESTORATION PROGRAM.

12  
13 FOR the purpose of

14                   Establishing a Watershed Protection and Restoration Program in Charles County.

15  
16 BY adding a new:

17                   Chapter 275 – WATERSHED PROTECTION AND RESTORATION PROGRAM

18                   *Code of Charles County, Maryland*

19                   *(2013 Edition)*

20 **SECTION 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF CHARLES**  
21 **COUNTY, MARYLAND, that the Laws of Charles County, Maryland read as follows:**

22                                   CHAPTER 275

23                               WATERSHED PROTECTION AND RESTORATION PROGRAM

24  
25 **SECTION 275.01. Statement of Purpose and Policy.**

26 THE PURPOSE OF THE WATERSHED PROTECTION AND RESTORATION PROGRAM  
27 IS TO PROVIDE FINANCIAL ASSISTANCE FOR THE IMPLEMENTATION OF LOCAL  
28 STORMWATER MANAGEMENT PLANS THROUGH STORMWATER MANAGEMENT  
29 PRACTICES AND STREAM AND WETLAND RESTORATION ACTIVITIES, AS SET  
30 FORTH IN SECTION 4-201.1 OF THE ENVIRONMENT ARTICLE OF THE ANNOTATED  
31 CODE OF MARYLAND.

32  
NOTE: CAPITALS indicate language added to existing law.  
[Brackets] indicate language deleted from existing law.

**SECTION 275.02. DEFINITIONS.** IN THIS CHAPTER, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED:

- (A) AGRICULTURAL ASSESSED PROPERTY– PROPERTY ASSESSED AS AN AGRICULTURAL USE BY THE MARYLAND STATE DEPARTMENT OF ASSESSMENTS AND TAXATION.
- (B) DIRECTOR – THE DIRECTOR OF THE CHARLES COUNTY DEPARTMENT OF PLANNING AND GROWTH MANAGEMENT, OR THE DIRECTOR’S DESIGNEE.
- (C) EQUIVALENT RESIDENTIAL UNIT (OR “ERU”) – THE 2011 STATISTICAL AVERAGE OF THE TOTAL HORIZONTAL IMPERVIOUS AREA OF DEVELOPED SINGLE FAMILY DETACHED RESIDENCES AND DUPLEXES IN THE CHARLES COUNTY ZONING DISTRICTS RH, RM, RL, RV, RR, PUD, WPC, MX, TOD, PRD, CER, CRR, AND CMR THAT SERVES AS THE BASE UNIT OF ASSESSMENT FOR THE STORMWATER REMEDIATION FEE. THE DESIGNATED ERU FOR CHARLES COUNTY EQUALS 3,087 SQUARE FEET OF IMPERVIOUS SURFACE.
- (D) IMPERVIOUS SURFACE – A SURFACE THAT DOES NOT ALLOW STORMWATER TO INFILTRATE INTO THE GROUND, AND INCLUDES, BUT IS NOT LIMITED TO, ROOFTOPS, DRIVEWAYS, SIDEWALKS, OR PAVEMENT.
- (E) PROFESSIONAL ENGINEER – A PERSON LICENSED TO PRACTICE ENGINEERING UNDER THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE OF THE ANNOTATED CODE OF MARYLAND.
- (F) PROFESSIONAL LAND SURVEYOR – A PERSON LICENSED TO PRACTICE LAND SURVEYING UNDER THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE OF THE ANNOTATED CODE OF MARYLAND.
- (G) RESIDENTIAL CONDOMINIUM - A GROUP OF HOUSING UNITS IN A MULTI-UNIT STRUCTURE, WHERE EACH HOMEOWNER OWNS THEIR INDIVIDUAL UNIT SPACE, AND ALL HOMEOWNERS SHARE OWNERSHIP OF AREAS OF COMMON USE.
- (H) ZONING DISTRICTS – DEFINED IN CHAPTER 297 OF THE CHARLES COUNTY CODE.

**SECTION 275.03. WATERSHED PROTECTION AND RESTORATION FUND.**

NOTE: CAPITALS indicate language added to existing law.  
[Brackets] indicate language deleted from existing law.

- 1 (A) PURPOSE – THE WATERSHED PROTECTION AND RESTORATION FUND  
2 SHALL BE FUNDED BY THE STORMWATER REMEDIATION FEE COLLECTED  
3 UNDER THIS CHAPTER, AND IT SHALL BE USED FOR:
- 4 (1) CAPITAL IMPROVEMENTS FOR STORMWATER MANAGEMENT,  
5 INCLUDING STREAM AND WETLAND RESTORATION PROJECTS;  
6 (2) OPERATION AND MAINTENANCE OF STORMWATER MANAGEMENT  
7 SYSTEMS AND FACILITIES;  
8 (3) PUBLIC EDUCATION AND OUTREACH RELATING TO STORMWATER  
9 MANAGEMENT OR STREAM AND WETLAND RESTORATION;  
10 (4) STORMWATER MANAGEMENT PLANNING, INCLUDING MAPPING  
11 AND ASSESSMENT OF IMPERVIOUS SURFACES; AS WELL AS  
12 MONITORING, INSPECTION, AND ENFORCEMENT ACTIVITIES TO  
13 CARRY OUT THE PURPOSES OF THE WATERSHED PROTECTION AND  
14 RESTORATION FUND;  
15 (5) REASONABLE COSTS NECESSARY TO ADMINISTER THE WATERSHED  
16 PROTECTION AND RESTORATION FUND; AND  
17 (6) GRANTS TO NONPROFIT ORGANIZATIONS FOR PROJECT COSTS FOR  
18 WATERSHED RESTORATION AND REHABILITATION PROJECTS BASED  
19 ON THE ANNUAL ALLOCATION OF THE FUND BUDGET. AWARDING  
20 OF GRANTS SHALL FOLLOW A POLICY DEVELOPED BY THE  
21 DEPARTMENT OF PLANNING AND GROWTH MANAGEMENT. GRANTS  
22 SHALL BE FOR THE FOLLOWING PURPOSES:
- 23 (A) PLANNING, DESIGN, AND CONSTRUCTION OF STORMWATER  
24 MANAGEMENT PRACTICES;  
25 (B) STREAM AND WETLAND RESTORATION; AND  
26 (C) PUBLIC EDUCATION AND OUTREACH RELATED TO  
27 STORMWATER MANAGEMENT OR STREAM AND WETLAND  
28 RESTORATION.
- 29 (B) REPORT – BEGINNING JULY 1, 2014, AND EVERY 2 YEARS THEREAFTER, THE  
30 DEPARTMENT OF FISCAL AND ADMINISTRATIVE SERVICES WILL PUBLISH  
31 A REPORT INCLUDING:

- (1) THE NUMBER AND CLASSIFICATION OF PROPERTIES SUBJECT TO A STORMWATER REMEDIATION FEE;
- (2) THE AMOUNT OF MONEY DEPOSITED INTO THE WATERSHED PROTECTION AND RESTORATION FUND OVER THE PREVIOUS TWO (2) FISCAL YEARS;
- (3) THE PERCENTAGE OF FUNDS IN THE WATERSHED PROTECTION AND RESTORATION FUND SPENT ON EACH OF THE PURPOSES IN SUBSECTION (A) OF THIS SECTION;
- (4) THE NUMBER OF PROPERTIES RECEIVING CREDITS, THE AMOUNT OF CREDITS, AND THE RESULTING FEE;
- (5) INFORMATION ABOUT THE GRANT PROGRAM; AND
- (6) THE NUMBER OF ANNUAL APPEALS.

**SECTION 275.04. STORMWATER REMEDIATION FEE.**

- (A) FEE – ALL PROPERTIES WITH IMPERVIOUS SURFACE AREA SHALL PAY A STORMWATER REMEDIATION FEE ACCORDING TO THE FOLLOWING PROVISIONS:
- (1) ASSESSMENT
    - (A) THE ASSESSMENT CHARGED FOR EACH PROPERTY IS CALCULATED BY MULTIPLYING THE RATE PER ERU BY THE NUMBER OF ERUS ASSIGNED TO THE PROPERTY.
    - (B) THE RATE TO BE CHARGED PER ERU IS ACCORDING TO THE SCHEDULE OF FEES AND CHARGES AS SET BY THE COUNTY COMMISSIONERS EACH FISCAL YEAR.
  - (2) CLASSIFICATION OF PROPERTIES - FOR PURPOSES OF DETERMINING THE APPROPRIATE ASSESSMENT RATE, ALL PROPERTIES SUBJECT TO THE STORMWATER REMEDIATION FEE ARE ASSIGNED TO ONE OF THE FOLLOWING CLASSIFICATIONS AND CORRESPONDING NUMBER OF ERUS:
    - (A) RESIDENTIAL PROPERTIES:
      - I. SINGLE FAMILY DETACHED AND DUPLEXES IN ZONING DISTRICTS OTHER THAN AC, RC, RC(D) = 1 ERU.

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- 1 II. SINGLE FAMILY DETACHED IN ZONING DISTRICTS AC,  
2 RC, AND RC(D) = 2 ERUS.
- 3 III. TOWN HOUSE = 0.5 ERU.
- 4 IV. RESIDENTIAL CONDOMINIUM = 0.33 ERU.
- 5 V. AGRICULTURAL ASSESSED PROPERTY = 2 ERUS.
- 6 (B) NON-RESIDENTIAL PROPERTIES:
- 7 ALL PERMISSIBLE USES IN ARTICLE IV OF CHAPTER 297,  
8 OTHER THAN THE RESIDENTIAL USES LISTED ABOVE IN  
9 SUBSECTION (A). EXAMPLES INCLUDE, BUT ARE NOT LIMITED  
10 TO, APARTMENTS; MANUFACTURED HOME PARKS; AND ALL  
11 FAITH-BASED, HEALTH CARE, COMMERCIAL, INDUSTRIAL,  
12 INSTITUTIONAL, MIXED USE, AND NON-GOVERNMENTAL  
13 CHARITABLE USES.
- 14 I. THE NUMBER OF ERUS ASSIGNED TO A NON-  
15 RESIDENTIAL PROPERTY SHALL BE CALCULATED BY  
16 DIVIDING THE TOTAL AMOUNT OF HORIZONTAL  
17 IMPERVIOUS SURFACE OF THE PROPERTY BY THE  
18 AMOUNT OF SQUARE FEET IN AN ERU TO DETERMINE  
19 THE NUMBER OF ERUS TO THE TENTHS DECIMAL  
20 PLACE. THE NUMBER OF ERUS IS THEN ROUNDED  
21 DOWN TO THE NEAREST WHOLE NUMBER. HOWEVER,  
22 EACH NON-RESIDENTIAL PROPERTY WITH ASSESSED  
23 IMPROVEMENT VALUE SHALL BE ASSIGNED AT LEAST 1  
24 ERU.
- 25 II. THE AMOUNT OF HORIZONTAL IMPERVIOUS SURFACE  
26 OF A NON-RESIDENTIAL PROPERTY SHALL BE  
27 MEASURED BY:
- 28 A. ANALYSIS OF AERIAL PHOTOGRAPHY;  
29 B. MEASUREMENT FROM APPROVED ENGINEERING  
30 DRAWINGS INCLUDING, BUT NOT LIMITED TO,  
31 AS-BUILT DRAWINGS OR SITE PLANS;

- 1 C. FIELD SURVEYS SIGNED AND SEALED BY A  
2 PROFESSIONAL ENGINEER OR PROFESSIONAL  
3 LAND SURVEYOR; OR  
4 D. INSPECTIONS CONDUCTED BY THE DEPARTMENT  
5 OF PLANNING AND GROWTH MANAGEMENT.
- 6 (3) EXEMPTIONS- THE FOLLOWING ARE EXEMPT FROM THE  
7 STORMWATER REMEDIATION FEE:
- 8 (A) PROPERTY OWNED BY THE FEDERAL GOVERNMENT, STATE  
9 GOVERNMENT, THE COUNTY, A MUNICIPALITY, A  
10 REGULARLY ORGANIZED VOLUNTEER FIRE DEPARTMENT, OR  
11 A REGULARLY ORGANIZED VOLUNTEER EMERGENCY  
12 MEDICAL SERVICE THAT IS RECOGNIZED BY THE COUNTY;
- 13 (B) PROPERTY LOCATED WITHIN THE MUNICIPAL BOUNDARIES  
14 OF THE TOWN OF INDIAN HEAD AND THE TOWN OF LA PLATA,  
15 AS LONG AS THOSE TOWNS ASSESS THEIR OWN  
16 STORMWATER REMEDIATION FEE AS DESCRIBED IN SECTION  
17 4-201.1 OF THE ENVIRONMENT ARTICLE OF THE ANNOTATED  
18 CODE OF MARYLAND;
- 19 (C) PROPERTY OWNED BY A DISABLED VETERAN;
- 20 (D) PROPERTY WITH NO IMPERVIOUS SURFACE;
- 21 (E) PROPERTY SUBJECT TO AN NPDES STORMWATER PERMIT  
22 CONTAINING A PROVISION TO PROVIDE STORMWATER  
23 MANAGEMENT FOR 20% OF THE UNMANAGED  
24 IMPERVIOUS SURFACE WITHIN A FIVE YEAR TIME PERIOD;  
25 AND
- 26 (F) PROPERTY OWNED BY A PERSON OR PERSONS WHO  
27 DEMONSTRATE SUBSTANTIAL FINANCIAL HARDSHIP  
28 ACCORDING TO THE QUALIFICATIONS IN SECTION (E) BELOW.
- 29 (4) THE STORMWATER REMEDIATION FEE IS SEPARATE FROM ANY  
30 CHARGES RELATED TO STORMWATER MANAGEMENT FOR NEW  
31 DEVELOPMENTS, INCLUDING FEES FOR PERMITS, REVIEW OF

- 1                   STORMWATER MANAGEMENT PLANS, INSPECTIONS, AND  
2                   MONITORING.
- 3           (5)    THE STORMWATER REMEDIATION FEE SHALL BE BILLED,  
4                   COLLECTED, AND DEPOSITED IN THE WATERSHED PROTECTION AND  
5                   RESTORATION FUND BY THE DEPARTMENT OF FISCAL AND  
6                   ADMINISTRATIVE SERVICES.
- 7           (6)    THE STORMWATER REMEDIATION FEE IMPOSED UNDER THIS  
8                   CHAPTER AND ALL INTEREST AND PENALTIES ON THE CHARGES  
9                   ARE A PERSONAL DEBT OWED BY THE OWNER OF THE PROPERTY  
10                  SUBJECT TO THE FEE.
- 11          (7)    THE STORMWATER REMEDIATION FEE, AND ALL ACCOMPANYING  
12                  INTEREST AND PENALTIES ON A LATE OR UNPAID CHARGE,  
13                  CONSTITUTES A LIEN IN FAVOR OF CHARLES COUNTY ON THE  
14                  PROPERTY SUBJECT TO THE FEE. ALL INTEREST AND PENALTIES  
15                  COLLECTED SHALL BE DEPOSITED INTO THE WATERSHED  
16                  PROTECTION AND RESTORATION FUND.
- 17          (8)    THE DEPARTMENT OF FISCAL AND ADMINISTRATIVE SERVICES MAY  
18                  ADOPT RULES AND REGULATIONS NECESSARY OR PROPER TO  
19                  FULLY ENFORCE AND COLLECT THE CHARGES IMPOSED UNDER  
20                  THIS CHAPTER.
- 21    (B)    REDUCTION OF FEE -
- 22          (1)    A STORMWATER REMEDIATION FEE MAY BE REDUCED TO ACCOUNT  
23                  FOR ON-SITE SYSTEMS, FACILITIES, SERVICES, OR ACTIVITIES THAT  
24                  REDUCE THE QUANTITY OR IMPROVE THE QUALITY OF  
25                  STORMWATER DISCHARGED FROM THE PROPERTY, AND MEET OR  
26                  EXCEED THE “2000 MARYLAND STORMWATER DESIGN MANUAL,  
27                  VOLUMES I AND II.” THE STORMWATER REMEDIATION FEE MAY BE  
28                  REDUCED A MAXIMUM OF 50% PER PROPERTY.
- 29          (2)    A STORMWATER FEE MAY BE REDUCED BY A MAXIMUM OF 50% ON  
30                  AN AGRICULTURAL ASSESSED PROPERTY, COVERED BY A SOIL  
31                  CONSERVATION & WATER QUALITY PLAN THAT IS APPROVED BY



- 1 THE LOCAL SOIL CONSERVATION DISTRICT, OR A PROPERTY  
2 COVERED BY A FOREST MANAGEMENT PLAN.
- 3 (3) THE DEPARTMENT OF PLANNING AND GROWTH MANAGEMENT  
4 SHALL ESTABLISH POLICIES AND PROCEDURES FOR:
- 5 (A) DETERMINING WHICH PROPERTIES MAY BE ELIGIBLE FOR A  
6 FEE REDUCTION,
- 7 (B) THE METHOD FOR CALCULATING THE AMOUNT OF A FEE  
8 REDUCTION, AND
- 9 (C) PROCEDURES FOR MONITORING AND VERIFYING THE  
10 EFFECTIVENESS OF THE ON-SITE SYSTEMS, FACILITIES,  
11 SERVICES, OR ACTIVITIES IN REDUCING THE QUANTITY OR  
12 IMPROVING THE QUALITY OF STORMWATER DISCHARGED  
13 FROM THE PROPERTY.
- 14 (4) ANY FEE REDUCTION WILL BE REFLECTED ON THE BILL AS A  
15 CREDIT.
- 16 (5) ANY FEE REDUCTION MUST BE RENEWED EVERY THREE YEARS BY  
17 SUBMITTING AN APPLICATION PROVIDED BY THE DEPARTMENT OF  
18 PLANNING AND GROWTH MANAGEMENT AND A LETTER FROM A  
19 PROFESSIONAL ENGINEER OR PROFESSIONAL LAND SURVEYOR,  
20 CERTIFYING THAT THE FACILITIES OR PRACTICES IDENTIFIED AND  
21 APPROVED IN ITEM (1) OF THIS SUBSECTION HAVE BEEN PROPERLY  
22 MAINTAINED AND ARE FUNCTIONING ACCORDING TO THE COUNTY  
23 APPROVED DESIGN.
- 24 (C) THE DEPARTMENT OF PLANNING AND GROWTH MANAGEMENT MAY  
25 ADOPT POLICIES AND PROCEDURES FOR A REBATE PROGRAM FOR  
26 RESIDENTIAL PROPERTIES SUBJECT TO THE STORMWATER REMEDIATION  
27 FEE.
- 28 (D) INSPECTIONS - TO MONITOR OR VERIFY THE EFFECTIVENESS OF ON-SITE  
29 SYSTEMS, FACILITIES, SERVICES, OR ACTIVITIES OF SECTIONS (B) AND (C),  
30 THE COUNTY MAY:
- 31 (1) CONDUCT ON-SITE INSPECTIONS,
- 32 (2) AUTHORIZE A THIRD-PARTY TO CONDUCT ON-SITE INSPECTIONS, OR

NOTE: CAPITALS indicate language added to existing law.  
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1           (3)     REQUIRE A PROPERTY OWNER TO HIRE A THIRD PARTY TO  
2                     CONDUCT THE ON-SITE INSPECTION AND PROVIDE THE RESULTS OF  
3                     SUCH INSPECTION AND ANY OTHER INFORMATION REQUIRED.

4     (E)     APPEALS -

5           (1)     A PROPERTY OWNER MAY REQUEST A REVIEW AND ADJUSTMENT  
6                     OF THE STORMWATER REMEDIATION FEE BY PETITIONING THE  
7                     DIRECTOR IN WRITING ON AN APPLICATION PROVIDED BY THE  
8                     DEPARTMENT OF PLANNING AND GROWTH MANAGEMENT. SUCH  
9                     APPLICATION MUST BE MADE WITHIN 30 DAYS OF THE DATE OF  
10                    THE BILL THE OWNER WISHES TO CONTEST.

11          (2)     WHEN SUBMITTING A PETITION FOR REVIEW OF THE STORMWATER  
12                     REMEDATION FEE, THE PROPERTY OWNER MUST INCLUDE A  
13                     DETAILED STATEMENT OF THE BASIS FOR THE PETITION AND  
14                     DOCUMENTS SUPPORTING THE PROPERTY OWNER'S ASSERTION:

15           (A)     THAT THE PROPERTY SHOULD BE ASSIGNED TO A DIFFERENT  
16                     CLASSIFICATION,

17           (B)     THAT THE IMPERVIOUS AREA MEASUREMENTS USED TO  
18                     CALCULATE THE ERUS FOR THE PROPERTY ARE INCORRECT,  
19                     OR

20           (C)     THAT THE PROPERTY IS NOT SUBJECT TO THE FEE UNDER  
21                     APPLICABLE LAW.

22          (3)     WITHIN 90 DAYS OF RECEIVING THE PETITION, THE DIRECTOR  
23                     SHALL REVIEW THE PETITION AND MAKE A WRITTEN  
24                     DETERMINATION OF WHETHER THE PROPERTY OWNER'S REQUEST  
25                     FOR AN ADJUSTMENT OF THE STORMWATER REMEDIATION FEE  
26                     SHOULD BE GRANTED OR DENIED. THE DIRECTOR MAY ALSO  
27                     REQUEST ADDITIONAL INFORMATION FROM THE PROPERTY OWNER  
28                     THAT THE DIRECTOR REASONABLY BELIEVES WILL HELP THE  
29                     DIRECTOR DECIDE WHETHER THE PROPERTY OWNER IS ENTITLED  
30                     TO AN ADJUSTMENT.

31          (4)     IF THE DIRECTOR CONCLUDES THAT THE STORMWATER  
32                     REMEDATION FEE WAS LEVIED BY MISTAKE OR RESULTED FROM

- 1 AN INACCURATE COMPUTATION, THE DIRECTOR SHALL SUBMIT  
2 THE CORRECTED DATA TO THE DEPARTMENT OF FISCAL AND  
3 ADMINISTRATIVE SERVICES WITH A REQUEST FOR AN ADJUSTMENT  
4 TO THE PROPERTY OWNER'S BILL. AFTER RECEIVING THE  
5 DIRECTOR'S REQUEST, THE DIRECTOR OF FISCAL AND  
6 ADMINISTRATIVE SERVICES SHALL MAKE AN APPROPRIATE  
7 ADJUSTMENT BASED ON THE NEW DATA SUBMITTED BY THE  
8 DIRECTOR AND REFUND ANY OVERPAYMENT TO THE PROPERTY  
9 OWNER.
- 10 (F) SUBSTANTIAL FINANCIAL HARDSHIP
- 11 (1) A PROPERTY OWNER MAY REQUEST A SUBSTANTIAL FINANCIAL  
12 HARDSHIP EXEMPTION BY PETITIONING THE TREASURY DIVISION  
13 OF THE DEPARTMENT OF FISCAL AND ADMINISTRATIVE SERVICES  
14 IN WRITING BY OCTOBER 31 OF THE TAX YEAR FOR WHICH THE  
15 EXEMPTION IS CLAIMED.
- 16 (2) TO QUALIFY FOR A SUBSTANTIAL FINANCIAL HARDSHIP  
17 EXEMPTION:
- 18 (A) THE PROPERTY FOR WHICH THE EXEMPTION IS REQUESTED  
19 SHALL BE A SINGLE FAMILY DETACHED RESIDENCE, A TOWN  
20 HOUSE, A RESIDENTIAL CONDOMINIUM, OR AN  
21 AGRICULTURAL ASSESSED PROPERTY;
- 22 (B) AT LEAST ONE OF THE PROPERTY OWNERS SHALL BE AN  
23 OCCUPANT OF THE PROPERTY; AND
- 24 (C) AT LEAST TWO OF THE FOLLOWING FOUR CRITERIA SHALL BE  
25 MET:
- 26 I. THE COMBINED GROSS INCOME OF THE PROPERTY  
27 OWNERS, AS DEFINED IN THE TAX-PROPERTY ARTICLE,  
28 SECTION 9-104, OF THE ANNOTATED CODE OF  
29 MARYLAND, DOES NOT EXCEED THE POVERTY  
30 GUIDELINES UPDATED PERIODICALLY IN THE FEDERAL  
31 REGISTER BY THE UNITED STATES DEPARTMENT OF

- 1 HEALTH AND HUMAN SERVICES UNDER THE  
2 AUTHORITY OF 42 U.S.C. SECTION 9902(2), AS AMENDED;  
3 II. AT LEAST ONE OF THE PROPERTY OWNERS WHO  
4 RESIDES AT THE PROPERTY RECEIVES AN ENERGY  
5 ASSISTANCE SUBSIDY IN ACCORDANCE WITH A FUEL  
6 AND UTILITY ASSISTANCE PROGRAM ESTABLISHED  
7 UNDER THE HUMAN SERVICES ARTICLE, SUBSECTION 5-  
8 5A-07, OF THE ANNOTATED CODE OF MARYLAND, AS  
9 AMENDED;  
10 III. AT LEAST ONE OF THE PROPERTY OWNERS WHO  
11 RESIDES AT THE PROPERTY RECEIVES SUPPLEMENTAL  
12 SECURITY INCOME UNDER 42 U.S.C. SECTION 1381, ET  
13 SEQ., AS AMENDED, OR FOOD STAMPS UNDER 7 U.S.C.  
14 SECTION 2011, ET SEQ., AS AMENDED; OR  
15 IV. AT LEAST ONE OF THE PROPERTY OWNERS WHO  
16 RESIDES AT THE PROPERTY RECEIVES VETERANS OR  
17 SOCIAL SECURITY BENEFITS UNDER THE SOCIAL  
18 SECURITY ACT, THE RAILROAD RETIREMENT ACT, ANY  
19 FEDERAL ACT FOR MEMBERS OF THE UNITED STATES  
20 ARMED FORCES, OR ANY FEDERAL RETIREMENT  
21 SYSTEM.  
22

23 **SECTION 275.05. SEVERABILITY.**

24 IF ANY SECTION, SENTENCE, CLAUSE, OR PHRASE OF THIS CHAPTER IS HELD  
25 INVALID OR UNCONSTITUTIONAL BY ANY COURT OF COMPETENT JURISDICTION,  
26 THE RULING SHALL NOT AFFECT THE VALIDITY OF THE REMAINING PORTIONS  
27 OF THIS CHAPTER.  
28

29 **SECTION 2.** BE IT FURTHER ENACTED, that an emergency is hereby declared to  
30 exist affecting the public health, safety or welfare of the citizens of Charles County, said  
31 emergency being the need to meet the requirements of State law relating to the implementation  
32 of local stormwater management plans.

NOTE: CAPITALS indicate language added to existing law.  
[Brackets] indicate language deleted from existing law.

1           **SECTION 3.** BE IT FURTHER ENACTED, that this Act shall take effect on the day it  
2 becomes law.

3  
4           ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2013.

5  
6                                   COUNTY COMMISSIONERS  
7                                   CHARLES COUNTY, MARYLAND

8  
9  
10                                   \_\_\_\_\_  
11                                   Candice Quinn Kelly, President

12  
13                                   \_\_\_\_\_  
14                                   Reuben B. Collins, II, Esq., Vice President

15  
16  
17                                   \_\_\_\_\_  
18                                   Ken Robinson

19  
20  
21                                   \_\_\_\_\_  
22                                   Debra M. Davis, Esq.

23  
24  
25                                   \_\_\_\_\_  
26                                   Bobby Rucci

27  
28       ATTEST:

29  
30       \_\_\_\_\_  
31       Denise Ferguson, Clerk to the Commissioners  
32